IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

Holly Bartlett Johnson,)
Plaintiff,) C.A. No. 3:16-cv-01987-CMC-PJG
vs.) CONSENT ORDER SUBSTITUTING REAL) PARTY IN INTEREST AND
Richland County Sheriff Department,) AMENDING CAPTION
Richland County District Two, and)
Benjamin "Ben" Fields,)
)
Defendants.)

On February 29, 2016, Plaintiff filed this action in the Court of Common Pleas for Richland County, State of South Carolina. On June 16, 2016, Defendants Richland County Sheriff Department (RCSD) and Benjamin "Ben" Fields filed a Notice of Removal to the United States District Court. Also, on June 16, 2016, these same Defendants filed their Answers to Local Civil Rule 26.01 Interrogatories and stated in response six that, "... Defendant RCSD is not a legal entity of the State, and asserts that the proper entity is the Sheriff of Richland County in his official capacity." On June 20, 2016, a Scheduling Order was filed and it gave the parties until September 19, 2016 to amend the pleadings.

Per Local Rule 7.02 the parties have conferred about substituting Defendant RCSD with the real party in interest the Sheriff of Richland County in his official capacity. Per Fed.R.Civ.P. 17(a)(3) and upon the motion of the Plaintiff and with the consent of all the Defendants,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the real party in interest in this matter is the Sheriff of Richland County in his official capacity, in place of Richland County Sheriff Department, in the original Complaint and all future pleadings and filings in this case. The reference to Richland County Sheriff Department shall be deleted from any future captions in this case and replaced with the Sheriff of Richland County in his official capacity.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that none of the current or substituted parties are required to replead or answer due to the issuance of this Order.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk of Court is herewith instructed to make the changes and deletions of record.

AND IT IS SO ORDERED.

Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

August 31, 2016 Columbia, South Carolina